

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : COTTONE  
Serial No. : 10/596,634  
Confirm. No. : 8594  
Filed : June 19, 2006  
For : METHOD AND DEVICE...  
Art Unit : 3721  
Examiner : John Roger Paradiso  
Dated : February 19, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Office Action dated October 28, 2008 provided for a shortened statutory period for response of three months.

The shortened statutory period expired January 28, 2009.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) Applicant respectfully requests the Examiner to charge the appropriate petition fee of \$130.00 (fee code 1251).

Respectfully submitted  
for Applicant(s),



By: \_\_\_\_\_  
John James McGlew  
Reg. No.: 31,903  
For: MCGLEW AND TUTTLE, P.C.

JJM/BMD:tf

DATED: February 19, 2009  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-9227  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND  
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO  
OUR DEPOSIT ACCOUNT 13-0410.